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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Fabienne GUEHENNEUX et al.

Application No.: 10/565,281

Filing Date:

Title: PRODUCTION OF POXVIRUSES  
WITH ADHERENT OR NON  
ADHERENT AVIAN CELL LINES

) MAIL STOP PCT

) Group Art Unit:

) Examiner:

) Confirmation No.: 9227

FIRST  
INFORMATION DISCLOSURE STATEMENT  
TRANSMITTAL LETTER

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Enclosed is a FIRST Information Disclosure Statement (IDS) and accompanying form PTO-1449 for the above-identified patent application.

- ☒ No additional fee for submission of an IDS is required.
- ☐ The fee of 180 as set forth in 37 C.F.R. § 1.17(p) is also enclosed.
- ☐ A statement under 37 C.F.R. § 1.97(e) is also enclosed.
- ☐ A statement under 37 C.F.R. § 1.97(e), and the fee of 180 as set forth in 37 C.F.R. § 1.17(p) are also enclosed.
- ☐ Charge \_\_\_\_\_ to Deposit Account No. 02-4800 for the fee due.
- ☐ A check in the amount of \_\_\_\_\_ is enclosed for the fee due.
- ☐ Charge \_\_\_\_\_ to credit card for the fee due. Form PTO-2038 is attached.
- ☒ The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BUCHANAN INGERSOLL PC

Date July 13 2006

By:

Mary Katherine Baumeister  
Mary Katherine Baumeister  
Registration No. 26254

P.O. Box 1404  
Alexandria, VA 22313-1404  
703.836.6620



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of	)	<b>MAIL STOP PCT</b>
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Application No.: 10/565,281	)	Examiner:
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For: PRODUCTION OF POXVIRUSES	)	
WITH ADHERENT OR NON	)	
ADHERENT AVIAN CELL LINES	)	
	)	
	)	

**FIRST INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure as set forth in 37 C.F.R. § 1.56, the accompanying information is being submitted in accordance with 37 C.F.R. §§ 1.97 and 1.98. Applicants are submitting a Form PTO-1449 listing documents for consideration by the Examiner. These documents were cited in the International Search Report (provided herewith in English) or are English-language counterparts of documents cited in the ISR.

Pursuant to 37 C.F.R. § 1.98, a copy of each of the documents cited is enclosed. However, a copy of the listed U.S. patent application publication is not enclosed since it is no longer required according to the July 11, 2003 waiver of the requirement for copies of cited U.S. patents and U.S. patent application publications in national patent applications filed after June 30, 2003 and international applications entering the national stage under 35 U.S.C. § 371 after June 30, 2003.

The documents are being submitted within three (3) months of the filing or entry of the national stage of this application or before the first Office Action on the merits, whichever is later. Since these documents are being filed within the time period set forth in 37 C.F.R. § 1.97(b), no fee or statement is required.

The following remarks are offered with regard to the non-English language document.

WO 03/076601A1 is in French; Pain et al., U. S. Patent Application Publication No. US 2004/0058441 A1 is provided to serve as an English translation. The English-language version of the ISR serves as a brief statement of relevance.



To assist the Examiner, the documents are listed on the attached form PTO-1449. It is respectfully requested that an Examiner initialed copy of this form be returned to the undersigned.

Respectfully submitted,

BUCHANAN INGERSOLL PC

Date: July 13 2006

By: Mary Katherine Baumeister  
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703.836.6620

**FIRST**  
**INFORMATION DISCLOSURE**  
**STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 1 of 1

Application Number 10/565,281  
 Filing Date  
 First Named Inventor Fabienne Guehenneux et al.  
 Examiner Name  
 Attorney Docket No. 1017753-000214

**U.S. PATENT DOCUMENTS**

Examiner Initials	Document Number	Kind Code (if known)	Name of Patentee or Applicant of Cited Document	Issue/Publication Date (MM-DD-YYYY)
	2004/0058441	A1	PAIN et al.	03-25-2004

**FOREIGN PATENT DOCUMENTS**

Examiner Initials	Document Number	Kind Code (if known)	Country	Date of Publication (MM-DD-YYYY)	STATUS						
					Translation	Partial Translation	Eng. Lang. Summary	Search Report	IPER	Abstract	Cited in Spec
	03/076601	A1	WO	09-18-2003	X			X			

**NON-PATENT LITERATURE DOCUMENTS**

Examiner Initials	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.
	PAIN, B., et al., "Long-term in vitro culture and characterisation of avian embryonic stem cells with multiple morphogenetic potentialities", Development Company of Biologists, 1996, pp. 2239-2348, vol. 122, no. 8, Cambridge, GB
	DREXLER, I., et al., "Highly attenuated modified vaccinia virus Ankara replicates in baby hamster kidney cells, a potential host for virus propagation, but not in various human transformed and primary cells", Journal of General Virology, February 1998, pp. 347-352, vol. 79, no. 2, Society for General Microbiology, Reading, GB

Examiner Signature	Date Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with M.P.E.P. § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.